Interview Summary	Application No. 09/977,953	Applicant(s) NEZU ET AL.
	Examiner Jeffrey A. Smith	Art Unit 3625

All participants (applicant, applicant's representative, PTO personnel):

(1) _Jeffrey A. Smith_.

(2) _Daniel Tanner_.

(3)_____.

(4)_____.

Date of Interview: _30 September 2005_.

Type: a)☐ Telephonic   b)☐ Video Conference
       c)☒ Personal [copy given to: 1)☐ applicant   2)☒ applicant's representative]

Exhibit shown or demonstration conducted: d)☒ Yes   e)☐ No.
    If Yes, brief description: _Proposed amendment to claims (attached)_ .

Claim(s) discussed: _1_.
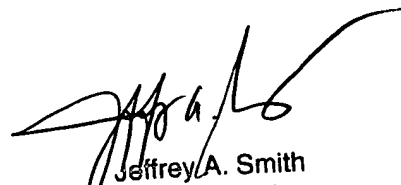
Identification of prior art discussed: _Plate (US 2001/0047322 A1)_.

Agreement with respect to the claims f)☐ was reached. g)☐ was not reached. h)☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _Mr. Tanner proposed language (see proposed amendment) which recites time as the essential criteria for selecting at least one of the commodities. Mr. Tanner idicated that such feature is not present in Plate since Plate discloses multiple criteria as a baseline for interactive exchage between buyers and sellers. The Examiner will consider such language upon formal submission_ .

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Jeffrey A. Smith
Primary Examiner

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

_____
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

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The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An electronic business transaction assisting ~~method which uses a memory that stores actual delivery times of a plurality of commodities~~ method, comprising:

receiving a desired delivery ~~time;~~ time as the essential criteria for selecting at least one of a plurality of commodities;

selecting at least one of the plurality of commodities ~~on the basis of the~~ based on actual delivery times of the plurality of commodities stored in ~~the~~ a memory and the ~~input~~ received desired delivery time ~~if the~~ so that an actual delivery time of a selected at least one of the plurality of commodities ~~meets~~ must meet the received desired delivery time; and

providing a result of the ~~selection made.~~ selection.

2. (Currently Amended) The electronic business transaction assisting method according to claim 1, further comprising providing data for displaying information relating to the at least one of the plurality of commodities ~~which~~ that is selected.

3. (Currently Amended) The electronic business transaction assisting method according to claim 1, further comprising providing data for displaying a first set of information relating to the at least one of the plurality of commodities ~~which has been~~ that is selected, and a second set of information relating to at least one of the plurality of commodities ~~which has~~ that is not ~~been~~ selected, such that the first and second sets of information are distinguishable from each other.

4. (Currently Amended) The electronic business transaction assisting method according to claim 1, further comprising receiving from a user terminal a purchase order for purchasing the at least one of the plurality of commodities ~~which has been~~ that is selected.

5.   (Currently Amended) The electronic business transaction assisting method according to claim 4, wherein ~~when~~ the purchase order is for purchasing more than one of the ~~a~~ plurality of commodities, and ~~further comprising~~ the receiving from the user terminal further comprises receiving information indicative of whether the more than one of the plurality of commodities to be purchased should be delivered at respective stored actual delivery times for each of the more than one of the plurality of commodities or at ~~one~~ a single delivery time.

6.   (Currently Amended) A ~~server~~ server, comprising:

a memory that stores data indicative of ~~an~~ actual delivery ~~time~~ times of each of a plurality of commodities; and

a controller that (1) receives data indicative of a desired delivery ~~time,~~ time as the essential criteria for selecting at least one of the plurality of commodities, (2) selects at least one of the plurality of commodities ~~on the basis of the~~ based on actual delivery times of the at least one of the plurality of the commodities stored in the memory and the received desired delivery ~~time if~~ time, wherein the actual delivery time of the at least one of the plurality of commodities must meet ~~meets~~ the received desired delivery time, and (3) provides a result of the ~~at least one selection made.~~ selection.

7.   (Currently Amended) The server according to claim 6, wherein the controller provides data for displaying information relating to the at least one of the ~~selected commodities.~~ plurality of commodities that is selected.

8.   (Currently Amended) The server according to claim 6, wherein the controller provides data for displaying a first set of information relating to the at least one of the ~~commodities,~~ plurality of commodities that is selected, and a second set of information relating to at least one of the plurality of commodities ~~which has~~ that is not ~~been~~ selected, such that the first and second sets of information are distinguishable from each other.

9. (Currently Amended) The server according to claim 6, wherein the controller further receives from a user terminal a purchase order for purchasing the at least one of the plurality of commodities which has been that is selected.

10. (Currently Amended) The server according to claim 9, wherein when the purchase order is for purchasing a more than one of the plurality of commodities, the controller receives from the user terminal information indicative of whether the more than one of the plurality of commodities to be purchased should be delivered at the respective stored actual delivery times for each of the more than one of the plurality of commodities or at one a single delivery time.

11. (Currently Amended) A server that communicates with a user terminal through a communication network, for assisting a user of the user terminal in making a decision regarding a purchase from among a plurality of commodities, the server comprising:

a memory that stores data indicative of an actual delivery time times of each of a plurality of commodities of different kinds; commodities; and

a controller that (1) receives inquiry data indicative of a desired delivery time, time as the essential criteria for selecting at least one of the plurality of commodities, (2) searches through the memory based on the actual delivery time of each commodity of the plurality of commodities stored in the memory and the received inquiry data indicative of the desired delivery time for selecting to select at least one of the plurality of commodities if so that the actual delivery time of the at least one of the plurality of commodities meets must meet the desired delivery time, and (3) provides a result of the search.

12. (Currently Amended) A server comprising:

a memory that stores commodity data including data indicative of actual delivery times of a plurality of commodities;

a controller that (1) receives from a user terminal inquiry data including a

desired delivery time of ~~each of~~ at least one ~~commodity~~ of a plurality of commodities as the

essential criteria for selecting the at least one of the plurality of commodities, and (2) selects a

portion of ~~a~~ stored commodity data ~~stored in the memory based on~~ that coincides with the

received inquiry ~~data received from the user terminal that includes the desired delivery time if~~

~~the portion of the commodity meets the desired delivery time;~~ data; and

a transmitter that transmits to the user terminal the portion of the commodity

data ~~which has been~~ that is selected.

13. (Currently Amended) The server according to claim 12, wherein the portion

of the commodity data transmitted by the transmitter includes a name of a ~~commodity which~~

~~meets the desired delivery time of each of the at least one commodity and the actual delivery~~

~~times of commodities stored in the memory.~~ commodity.

14. (Currently Amended) The server according to claim 12, wherein the controller

further receives from the user a purchase order for purchasing ~~at least one of the commodities~~

~~included in~~ a commodity specified by the portion of the commodity ~~data, which is selected at~~

~~the user terminal.~~ data.

15. (Currently Amended) The server according to claim 12, wherein the controller

further processes ~~the~~ commodity data regarding the portion of the commodity data that is

selected and a remaining portion of the commodity data that is not selected, such that the

portion of the commodity data ~~which has been~~ that is selected and ~~a~~ the remaining portion of

the commodity data ~~which has~~ that is not ~~been~~ selected are distinguishable from each other,

and ~~wherein~~ the transmitter transmits to the user terminal the processed commodity ~~data that~~

~~was processed.~~ data.

16. (Currently Amended) An electronic business transaction assisting ~~system~~

system, comprising:

a memory that stores data indicative of ~~an~~ actual delivery ~~time~~ times of each of a plurality of commodities;

a desired-delivery inputting portion that inputs data indicative of a desired delivery ~~time;~~ time as the essential criteria for selecting at least one of the plurality of commodities; and

a controller that (1) selects at least one of the plurality of commodities ~~which meets the desired delivery time on the basis of~~ so that the stored actual delivery ~~times of the~~ time of the selected at least one of the plurality of commodities ~~stored in the memory and~~ must meet the desired delivery time input by the desired-delivery inputting ~~portion if the at least one of the plurality of commodities meets the desired delivery time,~~ portion, and (2) provides a result of ~~selection made by the commodity selecting portion.~~ the selection.

17.   (Canceled)

18.   (Currently Amended) A recording medium for ~~a~~ an electronic business transaction assisting system, the recording medium including computer-readable instructions comprising:

a first instruction to store in a memory data indicative of an actual delivery time of each of a plurality of commodities; and

a second instruction ~~to allow~~ that allows a controller to (1) receive data indicative of a desired delivery ~~time,~~ time as the essential criteria for selecting at least one of the plurality of commodities, (2) select at least one of the plurality of commodities ~~on the basis of~~ so that the stored actual delivery ~~times~~ time of the at least one of the plurality of the commodities ~~stored in the memory and~~ must meet the received desired delivery time ~~if~~ for the at least one of the plurality of ~~commodities meets the desired delivery time,~~ commodities, and (3) provide ~~provides~~ a result of the ~~at least one selection made.~~ selection.

19.   (Canceled)

20.   (Currently Amended) A recording medium for ~~a~~ an electronic business transaction assisting system which uses a memory that stores actual delivery times of a plurality of ~~commodities~~ commodities, comprising:

a first instruction ~~to allow~~ that allows a controller to (1) receive data indicative of a desired delivery ~~time,~~ time as the essential criteria for selecting at least one of the plurality of commodities, (2) select at least one of the plurality of commodities ~~on the basis of~~ so that the stored actual delivery ~~times~~ time of the at least one of the plurality of ~~the~~ commodities ~~stored in the memory and~~ must meet the received desired delivery ~~time if the at least one of the plurality of commodities meets the desired delivery time and;~~ time; and

a second instruction ~~to allow~~ that allows the controller to provide a result of the ~~at least one selection made.~~ selection.

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